

EXHIBIT A

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

PHIL CAPPADORA, *on behalf of himself,*
FLSA collective Plaintiffs and the Class,

Plaintiff,

Case No.: 1:20-cv-06067-EK-RER

-against-

OFFER OF JUDGMENT

COSTCO WHOLESALE CORPORATION,

Defendant.

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant hereby offers to allow judgment to be taken against it in favor of Plaintiffs in the sum of Fifteen Thousand Dollars and No Cents (\$15,000), inclusive of legal fees, with respect to Plaintiff's federal claims only under the Fair Labor Standards Act, as amended.

This Offer of Judgment is made for the purposes specified in Federal Rule of Civil Procedure 68, and neither this Offer of Judgment nor any judgment that may result from this Offer of Judgment shall be construed as either an admission of liability on the part of Defendant or that Plaintiffs have suffered any damages.

This Offer of Judgment is made pursuant to the provisions of Rule 68 of the Federal Rules of Civil Procedure and shall be deemed withdrawn unless Plaintiff serves written notice of his acceptance within fourteen (14) days of the date on which this Offer of Judgment was served. Any evidence of this Offer of Judgment shall be inadmissible except as provided in Rule 68 of the Federal Rules of Civil Procedure.

Dated: New York, New York

February 9, 2022

For Defendant Costco Wholesale Corporation:

By: /s/ Lorie E. Almon
Lorie Almon, Esq.
SEYFARTH SHAW LLP
620 Eighth Avenue, 32nd Floor
New York, NY 10018

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2022, I served the foregoing Offer of Judgment upon Plaintiff pursuant to Rule 68 of the Federal Rules of Civil Procedure by electronic mail upon the following counsel of record for Plaintiff:

C.K Lee, Esq.
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